

Montana Department of Natural Resources and Conservation  
Water Resources Division  
Water Rights Bureau

**ENVIRONMENTAL ASSESSMENT**  
**For Routine Actions with Limited Environmental Impact**



**Part I. Proposed Action Description**

1. Applicant/Contact name and address: Leonard Pluhar & Sons Inc.  
1033 E Little Dry Rd  
Cohagen, MT 59322
2. Type of action: Application to Change an Existing Water Right No. 40D 30103716
3. Water source name: Groundwater
4. Location affected by project: SWSWNW Section 18, T16N, R42E, Garfield County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The Applicant is adding four stock tanks via a pipeline to an existing Ground Water Certificate for better pasture management and more efficient grazing. Water is diverted by means of a groundwater well and conveyed to the stock tanks via a 1.25 inch PVC pipeline buried 6 feet below ground surface. The stock tanks will be used by 200 animal units from March 1-November 30 at a flow rate of 8 GPM and 2.56 acre-feet (AF) per year. The additional stock tanks will be located at the following locations.

SWNESE Section 13, T16N, R41E, Garfield County  
SWNESE Section 13, T16N, R41E, Garfield County

NESWSW Section 18, T16N, R42E, Garfield County  
SWNWNW Section 18, T16N, R42E, Garfield County

The DNRC shall issue a change authorization if an applicant proves the criteria in 85-2-402 MCA are met.

6. Agencies consulted during preparation of the Environmental Assessment:  
Montana Natural Resource Information System (NRIS)  
Montana Natural Heritage Program  
National Wetlands Inventory

## **Part II. Environmental Review**

### **1. Environmental Impact Checklist:**

<b>PHYSICAL ENVIRONMENT</b>
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#### **WATER QUANTITY, QUALITY AND DISTRIBUTION**

**Water quantity** - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

Determination: N/A-The source is groundwater.

**Water quality** - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

Determination: N/A-The source is groundwater.

**Groundwater** - Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

Determination: No impacts identified. The existing Ground Water Certificate was issued for year-round use of 200 animal units. There will be no change in the number of animal units being watered under this water right.

**DIVERSION WORKS** - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

Determination: No impacts identified. The project will be using an existing well.

#### **UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES**

**Endangered and threatened species** - Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater,

*assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or “species of special concern.”*

*Determination:* Based on a report from the Montana Natural Heritage Program, there are no Species of Special Concern within the two townships where this project is located.

**Wetlands** - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

*Determination:* No wetlands identified by the National Wetlands Inventory will be affected by this change.

**Ponds** - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

*Determination:* No impacts identified. This water project does not involve any ponds and has already been completed.

**GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE** - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

*Determination:* No significant impacts identified. This water project is for stock water tanks in pastureland and will not influence soil quality, stability, or moisture content.

**VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS** - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

*Determination:* The purpose of adding stock tanks is to promote better pasture conditions through rotational grazing. It will be their responsibility to manage noxious weeds and vegetative cover in their pastures. No significant impact.

**AIR QUALITY** - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

*Determination:* No impacts identified. There should be no impact to air quality from this development.

**HISTORICAL AND ARCHEOLOGICAL SITES** - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

*Determination:* NA- Project not located on State or Federal Lands.

**DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY** - Assess any other impacts on environmental resources of land, water and energy not already addressed.

*Determination:* No impacts identified.

## HUMAN ENVIRONMENT

**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** - Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.

*Determination:* No known environmental plans or goals will be impacted by this project.

**ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES** - Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.

*Determination:* No access or recreational activities will be impacted by this project.

**HUMAN HEALTH** - Assess whether the proposed project impacts on human health.

*Determination:* No impacts to human health have been identified.

**PRIVATE PROPERTY** - Assess whether there are any government regulatory impacts on private property rights.

Yes\_\_\_ No X If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

*Determination:* There are no additional government regulatory impacts on private property rights associated with this change application.

**OTHER HUMAN ENVIRONMENTAL ISSUES** - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

*Impacts on:*

- (a) Cultural uniqueness and diversity? No significant impact
- (b) Local and state tax base and tax revenues? No significant impact
- (c) Existing land uses? No significant impact
- (d) Quantity and distribution of employment? No significant impact
- (e) Distribution and density of population and housing? No significant impact
- (f) Demands for government services? No significant impact

(g) Industrial and commercial activity? No significant impact

(h) Utilities? No significant impact

(i) Transportation? No significant impact

(j) Safety? No significant impact

(k) Other appropriate social and economic circumstances? No significant impact

**2. *Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts No secondary impacts identified

Cumulative Impacts No cumulative impacts identified

**3. *Describe any mitigation/stipulation measures:* N/A**

**4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:***

The Applicant's purpose for adding the stock tanks is for better pasture management and more efficient grazing. Under the no action alternative the goals of maintaining pastures by rotational grazing could not be attained. The means of diversion and conveyance system have already been completed.

***PART III. Conclusion***

**1. *Preferred Alternative***

Issue a change authorization if the Applicant proves the criteria in 85-2-402, MCA, are met.

**2 *Comments and Responses***

**3. *Finding:***

Yes\_\_\_ No X Based on the significance criteria evaluated in this EA, is an EIS required?

*If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:*

No significant impacts to the proposed project have been identified.

*Name of person(s) responsible for preparation of EA:*

*Name:* Denise Biggar

*Title:* Regional Manager

*Date:* October 16, 2015